

The Honorable David G. Estudillo

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

GABRIELLA SULLIVAN, et al.,

Plaintiffs,

v.

BOB FERGUSON, in his official capacity as
Washington State Attorney General, et al.,

Defendants,

ALLIANCE FOR GUN RESPONSIBILITY,

Intervenor-Defendant.

NO. 3:22-cv-05403-DGE

PRAECIPE REGARDING STATE
DEFENDANTS' RESPONSE AND
CROSS MOTION FOR SUMMARY
JUDGMENT

TO: The Clerk of the Court;

AND TO: All parties of record.

The State Defendants respectfully submit this Praecipe regarding their Response and Cross Motion for Summary Judgment (Dkt. # 114). The State Defendants' brief mistakenly contains an error in footnote two on page five, which the attached brief corrects. Specifically, the State Defendants' original brief has the following passage:

Relying on Professor Klarevas' testimony, Judge Immergut in *Oregon Firearms Federation* found that "[t]he average number of shots fired in a mass shooting where an LCM was not used was sixteen. By contrast, the average number of shots fired in a mass shooting where an LCM was used was *ninety-nine*." 2023 WL 4541027, at *13 (emphasis added) (record citations omitted).

1 The corrected brief filed herewith makes the following change (deletion struck out,
2 addition in **bold**):

3 Relying on ~~Professor Klarevas~~ **Lucy Allen's** testimony, Judge Immergut in
4 *Oregon Firearms Federation* found that "[t]he average number of shots fired in
5 a mass shooting where an LCM was not used was sixteen. By contrast, the
6 average number of shots fired in a mass shooting where an LCM was used was
7 *ninety-nine.*" 2023 WL 4541027, at *13 (emphasis added) (record citations
8 omitted).

9 No other changes were made to the State Defendants' brief.

10 DATED this 12th day of September 2023.

11 ROBERT W. FERGUSON
12 Attorney General

13 /s/ Andrew Hughes

14 R. JULY SIMPSON, WSBA #45869
15 WILLIAM MCGINTY, WSBA #41868
16 ANDREW HUGHES, WSBA #49515
17 BRIAN HUNT ROWE, WSBA #56817
18 Assistant Attorneys General
19 KRISTIN BENESKI, WSBA #45478
20 First Assistant Attorney General
21 July.Simpson@atg.wa.gov
22 William.McGinty@atg.wa.gov
23 Andrew.Hughes@atg.wa.gov
24 Brian.Rowe@atg.wa.gov
25 Kristin.Beneski@atg.wa.gov
26 *Attorneys for Defendants Bob Ferguson
and John R. Batiste*

DECLARATION OF SERVICE

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court's CM/ECF System which will send notification of such filing to all counsel of record.

I declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct.

DATED this 12th day of September 2023, at Seattle, Washington.

/s/ Andrew Hughes

ANDREW HUGHES, WSBA #49515
Assistant Attorney General